

REMARKS

Claims 1, 2, 6-8 and 12 are pending. By this Amendment, claims 1 and 8 are amended and claim 9 is canceled without prejudice to or disclaimer of the subject matter contained therein.

Claim 9 was objected to and rejected under 35 U.S.C. §112, second paragraph. The objection and rejection have been rendered moot by the cancellation of claim 9. It is respectfully requested that the objection and rejection be withdrawn.

Claims 1, 2, 6-9 and 12 were rejected under 35 U.S.C. §103(a) over GB 2,259,291 (GB'291) in view of Romagnoli, U.S. Patent No. 4,060,168. The rejection of the remaining claims is respectfully traversed.

Neither GB '291 nor Romagnoli disclose or suggest a tack label with a non-adhesive masking layer formed on the central part of the adhesive layer so that the adhesive layer has a ring-shaped adhesive area and formed at only a part of an edge of said adhesive area as recited in claim 1 and as similarly recited in claim 8.

As admitted of page 4 of the Office Action, GB '291 fails to disclose the non-adhesive masking layer as recited in Applicants' claims 1 and 8.

Romagnoli fails to overcome deficiencies of GB '291 because Romagnoli fails to provide a non-adhesive masking layer at only a part of an edge of the adhesive area. Fig. 7 of Romagnoli discloses a label 16 with a plurality of cut portions 22 and 23 (col. 3, lines 20-31). Cut portion 22 may include a projecting section 32 which extends beyond the edge of the label 16. Also, the label 16 may include a projection tab 34 which facilitates manual grasping of the label 16 and removal of the label 16 from the container.

However, as shown in Fig. 7 of Romagnoli, the cut portion 22 is formed not only at a part of an edge of the adhesive area, but also includes a projecting section 32 which extends beyond an edge of the adhesive area. Romagnoli fails to disclose or suggest Applicants'

advantage in maintaining the position of a label on a container by limiting their non-adhesive masking layer to only a part of an edge of the adhesive area.

Furthermore, Romagnoli discloses a label construction in which the cut portion 22 extends over the entire circumference such that the entire region of the label 16 on the outer side of the cut portion 22 forms an annular adhesive area. It would be therefore desirable to facilitate removal of the label 16 from the container 30, and this is achieved by the projecting section 32 that extends beyond the edge of the label 16. In contrast, according to claims 1 and 8, the label can be readily removed from the container by providing a non-adhesive masking layer not only at the central part of the adhesive area, but also at a corner part (i.e., end marginal part 6b in Fig. 2). Such an arrangement of claims 1 and 8 is neither taught nor suggested by Romagnoli.

Accordingly, neither GB '291 nor Romagnoli disclose or suggest all of the features recited in Applicants' claims 1 and 8. In addition, claims 2, 6, 7 and 12 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claims 1 and 8 and for the additional features recited therein. It is respectfully requested the rejection be withdrawn.

Claims 1, 2, 6-9 and 12 were rejected under 35 U.S.C. §103(a) over GB '291 in view of Jones, U.S. Patent No. 4,550,683. The rejection of the remaining claims is respectfully traversed.

As discussed above, GB '291 fails to disclose Applicants' non-adhesive masking layer.

Jones fails to overcome the deficiencies of GB '291 because Jones fails to provide a non-adhesive masking layer which is formed at only a part of an edge of the adhesive area. Jones discloses a sheet A with a first layer 10, a second layer 12, and a third layer 14. As asserted by the Examiner, Jones discloses a masking layer portion in the central region of the adhesive layer (assumingly central portion of the second layer 12 when band-like area 30 is removed, Fig. 1), as well as a masking layer portion along the peripheral edge of the adhesive (outer portion of

second layer 12). However, the outer portion of the second layer 12 surrounds the entire inner portion and not a part of an edge of the adhesive area. As such, adhesion is compromised in Jones in having a non-adhesive masking layer surround the adhesive area.

As such, neither GB '291 nor Jones disclose or suggest the features recited in Applicants' claims 1 and 8. In addition, claims 2, 6, 7 and 12 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed with respect to claims 1 and 8 and for the additional features recited therein. It is respectfully requested the rejection be withdrawn.

Claims 1, 2, 6, 8 and 9 were rejected under 35 U.S.C. §103(a) over Dudzik et al. (Dudzik), U.S. Patent No. 4,444,839 in view of Romagnoli and claims 1, 2, 6, 8 and 9 were rejected under 35 U.S.C. §103(a) over Dudzik in view of Jones. The rejections of the remaining claims are respectfully traversed.

As admitted on pages 8 and 9 of the Office Action, Dudzik fails to disclose the non-adhesive masking layer as recited in Applicants' claims 1 and 8. As discussed above, neither Romagnoli nor Jones disclose the non-adhesive masking layer as recited in Applicants' claims 1 and 8. As such, none of Dudzik, Romagnoli or Jones disclose or suggest the features recited in Applicants' claims 1 and 8. In addition, claims 2 and 6 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claim 1 and for the additional features recited therein. It is respectfully requested that the rejections be withdrawn.

Claims 7 and 12 were rejected under 35 U.S.C. §103(a) over Dudzik in view of Romagnoli or Jones and further in view of Freedman et al. (Freedman), U.S. Patent No. 6,165,576. The rejection is respectfully traversed.

Freedman fails to overcome deficiencies of the other applied references in disclosing or suggesting the non-adhesive masking layer as recited in Applicants' claims 1 and 8. In addition,

claims 7 and 12 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claims 1 and 8 and for the additional features recited therein. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 6-8 and 12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



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